

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)	DOCKET NO.
)	
)	<u>BILL OF INFORMATION</u>
vs.)	
)	Violation:
)	
COYT E. MURRAY)	18 U.S.C. § 371
_____)	

THE UNITED STATES ATTORNEY CHARGES:

At the specified times and at all relevant times:

Introduction

1. Tech Traders, Inc. (hereafter, "Tech Traders") was a corporation organized under the laws of the State of Delaware in or about April 2001, with its principal place of business in Gastonia, North Carolina.

2. Defendant COYT E. MURRAY lived in Tega Cay, South Carolina and was the President of Tech Traders.

3. From in or about June 2001 through in or about April 2004, MURRAY, together with other co-conspirators known and unknown to the Government, solicited individuals and entities to invest in Tech Traders by falsely representing that the company was earning extraordinary rates of return through its commodity trading program when, in fact, the company was losing millions of dollars as a result of its commodity trading activities.

4. Based on MURRAY's materially false and fraudulent representations, dozens of individuals and entities invested more than approximately \$47 million in Tech Traders, which investments were deposited into Tech Traders' bank accounts. MURRAY thereafter misappropriated investor funds to pay for his personal expenses.

COUNT ONE

5. The Government realleges and incorporates by reference herein all of the allegations contained in paragraphs 1 through 4 of the Information, and further alleges that:

6. From in or about June 2001 through in or about April 2004, in Gaston County, within

the Western District of North Carolina, and elsewhere, the defendant,

COYT E. MURRAY

knowingly, willfully and unlawfully combined, conspired, and agreed with other persons known and unknown to the Government, to commit the following offenses against the United States:

- A. Commodities fraud, in violation of Title 7, United States Code, Sections 60(1) and 13(a)(5);
- B. Mail fraud, in violation of Title 18, United States Code, Section 1341; and
- C. Wire fraud, in violation of Title 18, United States Code, Section 1343.

Objects of the Conspiracy

7. It was part and an object of the conspiracy that the defendant, and others known and unknown to the Government, would and did willfully, directly and indirectly, by use of the means and instrumentalities of interstate commerce and the mails, employed devices, schemes, and artifices to defraud clients, participants, and prospective clients and participants, and engaged in transactions, practices, and courses of business which operated and would and did operate as a fraud and deceit upon clients, participants, and prospective clients and participants, all in violation of Title 7, United States Code, Sections 60(1) and 13(a)(5).

8. It was part and an object of the conspiracy that the defendant, and others known and unknown to the Government, having devised the above-described scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, to wit a scheme and artifice to, among other things, defraud Tech Traders investors and others, would and did cause things to be deposited with and delivered by the U.S. Postal Service and private and commercial interstate carriers for the purposes of executing said scheme and artifice, in violation of Title 18, United States Code, Section 1341.

9. It was part and an object of the conspiracy that the defendant, and others known and unknown to the Government, having devised the above-described scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, to wit a scheme and artifice to, among other things, defraud Tech Traders investors and others, would and did transmit and cause to be transmitted by means of wire communication in interstate commerce, writings, signs, signals, pictures, and sounds for the purposes of executing said scheme and artifice, in violation of Title 18, United States Code, Section 1343.

Overt Acts

10. In furtherance of the conspiracy, and to accomplish the object thereof, the co-

conspirators committed and caused others to commit the following overt acts, among others, in the Western District of North Carolina and elsewhere:

A. From in or about June 2001, through in or about February 2004, MURRAY participated in the creation of monthly trading performance reports that falsely represented that Tech Traders was earning exceptional rates of return on its trading activities;

B. From in or about June 2001, through in or about February 2004, a New Jersey businessman and a Pennsylvania attorney posted the fraudulent return figures on a website used to recruit dozens of individuals to invest a total of more than \$15 million with Tech Traders;

C. From in or about June 2001, through in or about February 2004, the New Jersey businessman and the Pennsylvania attorney diverted to themselves approximately \$2 million of the investor funds they had solicited;

D. In or about the spring of 2002, MURRAY met in Gastonia, North Carolina with a North Carolina businessman who offered to invest with Tech Traders funds that individuals had, for purpose of evading federal income taxation, transferred to off-shore trusts that the businessman had created;

E. On or about January 13, 2004, MURRAY caused an agent to travel with the North Carolina businessman and others on a corporate jet from Winston-Salem, North Carolina to Nassau, Bahamas to prepare an off-shore office from which Tech Traders could operate.

All in violation of 18 U.S.C. § 371.

NOTICE OF FORFEITURE AND FINDING OF PROBABLE CAUSE


11. The Government realleges and incorporates by reference herein all of the allegations contained in paragraphs 1 through 10 of the Information, and further alleges that:

12. Notice is hereby given, pursuant to Federal Rule of Criminal Procedure 32.2(a), of the provisions of 18 U.S.C. § 982, 21 U.S.C. § 853, and 28 U.S.C. § 2461(c). Under Section 2461(c), criminal forfeiture is applicable to any offenses for which forfeiture is authorized by any other statute, including but not limited to 18 U.S.C. § 981, and all specified unlawful activities listed or referenced in 18 U.S.C. § 1956(c)(7), which are incorporated as to proceeds by 18 U.S.C. § 981(a)(1)(C). The defendants have or had possessory or legal interests in the following property that is subject to forfeiture in accordance with Section 982 and/or Section 2461(c):

- A. All property involved in the violations alleged in this Bill of Indictment, or traceable to such property;
- B. All property which is proceeds of such violations, or traceable to such property; and,
- C. In the event that any property described in (A) or (B) cannot be located or recovered or has been substantially diminished in value or has been commingled with other property which cannot be divided without difficulty, all other property of the defendants, to the extent of the value of the property described in (A) and (B).

13. The Government alleges that any and all currency and monetary instruments that were received during, involved in, or used or intended to be used to facilitate the crimes alleged in this Bill of Indictment, including but not limited to the sum of approximately \$47 million in proceeds and funds involved in the alleged violations, is subject to forfeiture on one or more of the grounds stated above.

GRETCHEN C.F. SHAPPERT
UNITED STATES ATTORNEY


FOR MATTHEW T. MARTENS
ASSISTANT UNITED STATES ATTORNEY